

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NORMAN HUSAR, on behalf of himself
and those similarly situated,

Plaintiff(s),

v.

DOLGEN MIDWEST, LLC
d/b/a DOLLAR GENERAL,

Defendant.

JUDGE JAMES GWIN

Case Number: 1:22-cv-02044-JG

**DOLGEN MIDWEST, LLC'S MOTION FOR RECONSIDERATION OF THE COURT'S
JANUARY 18, 2023, ORDER OR FOR ALTERNATIVE RELIEF**

Defendant Dolgen Midwest, LLC ("Dollar General") moved to partially seal an exhibit in support of its notice of removal. *See* ECF 5. Plaintiff did not oppose that motion. This Court denied that motion on January 18, 2023, by way of a non-document order on the ECF docket.

Dollar General respectfully moves the Court to reconsider its order on two grounds. First, there is evidence that could not have been previously submitted at the time of Dollar General's original motion: a judicial officer from another United States District Court ordered sealed the very same type of information, used by Dollar General-affiliated entities to support removal in parallel litigation brought by Plaintiff's counsel. Second, reconsideration would correct a clear error: a business's private financial information, like that sought to be sealed by Dollar General, is routinely ordered sealed across the Nation given its disclosure will implicate competitive harm.

Alternatively, if the Court does not reconsider its prior denial, Dollar General asks the Court to order that Dollar General need not file the redacted information currently submitted in the exhibit in support of the notice of removal in unredacted format, and to hold that such

information will not be considered for purposes of reviewing Dollar General's notice of removal papers. That redacted information is unnecessary for the notice of removal papers to adequately state a plausible basis for removal.

For these reasons and those stated more particularly in the accompanying Memorandum of Law, which is incorporated by reference herein, the Court should reconsider its January 18, 2023, order and grant Dollar General's motion to partially seal (ECF 5) or alternative relief set forth herein.

Respectfully submitted,

/s/ Elizabeth B. Wright

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was filed via the Court's CM/ECF filing system, which will send notification to all counsel of record.

/s/ Elizabeth B. Wright